IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

| BITUMINOUS CASUALTY CORPORATION, |) 4:06CV3128 |
|-------------------------------------|--------------|
| Plaintiff, |) ORDER |
| VS. |) |
| |) |
| AARON FERER AND SONS |) |
| COMPANY and UNION PACIFIC |) |
| RAILROAD COMPANY, |) |
| |) |
| Defendants. |) |
| | |

IT IS ORDERED that Defendant Aaron Ferer and Sons Company's motion to stay (filing 49) is granted, as follows:

Defendant's deadline to respond to Plaintiff's motion for summary judgment (filing 44) is continued until further order of the court. 1

December 27, 2006. BY THE COURT:

s/ *Richard G. Kopf*United States District Judge

¹ A subsequent order will be entered in connection with Defendant's motion for a continuance (filing 48), which is not yet ripe for decision.